IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 13715 of 1994

Between:

Chodipilli Nookaratnam, W/o Demudu,
R/o Narsapuram, H/o Rambilli (V) & (M),
Visakhapatnam Dist.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Narsipatnam, Visakhapatnam Dist.
2 The Mandal Revenue Officer, Rambilli (M), Visakhapatnam Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of Mandamus declaring the impugned orders passed by the 2nd respondent herein in his Proceedings. R.C.No.230/92 B dated: 24-11-1992 by issuing an order more in the nature of declaring the action of the respondents as void, illegal, and ab-initio and also further direct that the petitioner is not to put dispossession from the lands bearing Sy.Nos.369/3, 380/2A and 380/3B admeasuring Ac.5-20 cents in Rambilli (V) & (M) of Visakhapatnam Dist.

Counsel for the Petitioner: MR. Y.Rama Rao

Counsel for the Respondents : GP FOR REVENUE

The Court made the following :

O R D E R:

The case of the petitioner is that on enquiry, she was granted 'D' form patta in Sy.Nos.369/3, 380/2A and 380/3B admeasuring Ac.5-20 cents in Rambilli village of Visakhapatnam district, on 13.1.1988 by the second respondent, and ever since, she has been in possession and enjoyment thereof. But, after issuing show-cause notice, the second respondent cancelled the said patta by impugned proceedings in R.C.No.230/92B, dated 24.11.1992. Aggrieved by the same, the petitioner preferred appeal before the first respondent, but while entertaining the same, no stay was granted by him. Hence, the Writ Petition.

Heard both sides.

It is submitted that having regard to the fact that appeals are pending before the first respondent, it is not necessary to go into the merits of the case.

This Writ Petition is filed questioning the impugned proceedings issued by the second respondent and also the inaction on the part of the second respondent-appellate authority in granting stay pending the appeal thereon. This Court granted stay of enquiry on 29.07.1994 in W.P.M.P. No.16769 of 1994 and the same is subsisting all along. Further, it is also represented by the learned counsel of both parties that connected matters are also remanded and the same are pending, and so, all these appeals can be disposed of together.

In view of the same, the Writ Petition is disposed of directing the first respondent to dispose of the appeals within a period of two months from the date of receipt of copy of this Order. Pending disposal thereof, the interim stay shall continue to remain in operation. No

costs.

16.09.2004

DRK

Copy to :

1 The Revenue Divisional Officer, Narsipatnam, Visakhapatnam Dist.
2 The Mandal Revenue Officer, Rambilli (M), Visakhapatnam Dist.

3 Two CCs to the G.P. for Revenue, High Court buildings, High Court of A.P.,

Hyderabad (o.u.t.).

4 Two CD copies.